



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Elizabeth Beacham White, Esquire  
Clark Hill PLC  
601 Pennsylvania Avenue, NW  
North Building, Suite 1000  
Washington, DC 20004

OCT 22 2015

RE: MUR 6950  
Joe Walsh for Congress Committee,  
Inc. and Helene M. Miller in her  
official capacity as treasurer


Dear Ms. White:

On October 15, 2015, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30116(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 60 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

  
Kamau Philbert  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

Joe Walsh for Congress Committee, Inc. and  
Helene M. Miller-Walsh in her official  
capacity as treasurer

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MUR 6950

**CONCILIATION AGREEMENT**

This matter was generated from a Commission audit of Joe Walsh for Congress Committee, Inc. pursuant to 52 U.S.C. § 30111(b) of the Federal Election Campaign Act of 1971, as amended (the "Act"). Based on the available information, the Commission found reason to believe that Joe Walsh for Congress Committee, Inc. and Helene M. Miller-Walsh in her official capacity as treasurer ("Respondents") violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Joe Walsh for Congress Committee, Inc. is the principal campaign committee for Joseph "Joe" Walsh, a 2012 House candidate in the 8th Congressional District of Illinois in the 2012 election. Helene M. Miller-Walsh is the committee's treasurer.

2. During the 2012 election cycle, an authorized committee was limited to receiving a total of \$2,500 per election from any one person. *See* 52 U.S.C. §30116(a)(1)(A).

3. Under the Act, no candidate or political committee shall knowingly accept any contribution that is in excess of the Act's contribution limits. *See* 52 U.S.C. § 30116(f).

4. The Commission's regulations provide that, if a committee receives a contribution that appears to exceed the contribution limits, the committee must either return the contribution to the donor or deposit the contribution into its federal account and seek a reattribution or a redesignation of the excessive portion within 60 days. *See* 11 C.F.R. §§ 103.3(b)(3), 110.1(k).

5. The committee must notify contributors of the proposed reattribution or redesignation in writing and inform them that they may request a refund of the excessive portion of the contribution instead. *See* 11 C.F.R. §§ 110.1(b)(5), 110.1(k)(3).

6. If, however, the committee does not receive a proper reattribution or redesignation within 60 days after receiving the contribution, it must refund the excessive portion to the donor. *See* 11 C.F.R. § 103.3(b)(3).

7. A committee is required to refund excessive contributions that cannot be reattributed or redesignated. *See* 11 C.F.R. § 103.3(b)(3).

8. Respondents received \$92,325 in excessive contributions from 29 individuals during the 2012 election cycle.

9. Respondents untimely reattributed or redesignated \$71,125 of the excessive contributions.

10. Respondents failed to refund or disgorge the remaining \$21,200 of the excessive contributions that could not be reattributed or redesignated.

V. Respondents violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions from individuals.

VI. 1. In ordinary circumstances, the Commission would seek a substantially higher civil penalty based on the violation outlined in the agreement. However, the Commission is taking into account the fact that the Committee is inactive, has negative cash on hand balance, and according to Respondents currently is unable to raise any additional funds. In light of these factors, Respondents will pay a civil penalty of Five Thousand Dollars (\$5,000) to the Federal Election Commission pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondents will cease and desist from violating 52 U.S.C. § 30116(f).

3. Respondents will amend the Committee's disclosure reports to disclose as debts on its Schedule D (Debts and Obligations) the \$21,200 in excessive contributions that could not be reattributed or redesignated. Respondents further agrees that the Committee will refund or disgorge the \$21,200 if its financial situation changes.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to make the required amendments to its disclosure reports, and to so notify the Commission. Respondents shall have no more than 60 days from the date this agreement becomes effective to pay the civil penalty, and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Daniel A. Petalas  
Acting General Counsel

BY:

Kate Guth  
Kathleen Guth  
Acting Associate General Counsel  
for Enforcement

10-21-15  
Date

FOR THE RESPONDENTS:

Elizabeth Beacham White  
Elizabeth Beacham White  
Counsel

9/30/15  
Date